

Sufficiency Review: Transfers from Out of District and Out of State

Guidance Document

Record Request and Sufficiency Review

Receiving School

For students enrolling in a new school within the same school year the following timelines apply:

- Within 2 school days of enrollment, request eligibility documentation and current IEP and review documents. IDAPA 08.02.03.109.f.
- Within 14 calendar days, request the full educational record of the transferring student from the former school. Idaho Code 18-4511; 34 CFR 300.323(g).
- Within 5 school days of receiving the eligibility documentation and current IEP, a Sufficiency Review will take place. If records have not been received after 30 days, proceed as a review found insufficient. 34 CFR 300.323(e)-(f); IDAPA 08.02.03.109.f.
- Through the Sufficiency Review process, the new district determines if a new assessment is needed.
- Provide parent written notice of the Sufficiency Review results. IDAPA 08.02.03.109.04e-f

Former School

- Within 10 calendar days of receiving a request for copies of a student's eligibility documentation and IEP, the requested information must be sent to the receiving school/district. 34 CFR 300.323(g)(2); Idaho Code 18-4511(3); Idaho Special Education Manual, Chapter 5.
- If the requested records have been flagged based on notification from the Idaho State Police that the child is a missing or runaway child, the records will not be forwarded, and local law enforcement will be notified of the request for the flagged records. Idaho Code 18-4511(3)

Establishing Eligibility for Special Education Services through a Sufficiency Review

- Through the Sufficiency Review process, the new district determines if a new assessment is needed.
- Determine:
 - a. If a student is eligible under Idaho criteria (Sufficient) – see below.
 - or
 - b. If further evaluation of the student is needed (Insufficient) – see below.

Reviews found Sufficient

- Eligibilities found sufficient through a Sufficiency Review will require acceptance of the eligibility documentation from the prior school district. IDAPA 08.02.03.109.e - f.
- Parent/adult student must be consulted in this process. Idaho Special Education Manual 2016, Chapter 5, p. 103.
- Sufficiency Review will be documented on Sufficiency Review form.
- Team may accept and implement the existing IEP or may develop a new IEP.
- Provide parent written notice of the Sufficiency Review Results.

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Reviews found Insufficient

- Eligibilities determined insufficient will require further evaluation in the areas identified.
- Evaluation team process required. Idaho Special Education Manual 2016, Chapter 4. Sufficiency Reviews will be documented on Sufficiency Review form.
- A Referral to Consider a Special Education Evaluation form must be completed.
- A Consent for Assessment form must be completed.
- Parental written consent is required for assessments.
- The district will offer the student special education services comparable to those in the transfer IEP through an IEP amendment or an interim IEP.
- Team will have 60 day timeline (from date consent signed) to complete assessments.
- If a student is determined eligible for special education after the completion of a comprehensive evaluation, Team develops, adopts and implements an IEP.
- Provide parent written notice of the Sufficiency Review Results.

In-State/Out of District Transfer Students

- When a student transfers from an Idaho School District with a current IEP – the new district may accept and implement the existing IEP or may convene an IEP team meeting to develop a new IEP.
- If a new IEP cannot be developed within 5 school days, or if the district wishes to reevaluate the student, an interim (short-term) IEP providing FAPE (including services comparable to those in the student's IEP) will be implemented pending development of the standard IEP. IDAPA 08.02.03.109.e.
- Parent/adult student must be consulted in this process. Idaho Special Education Manual 2016, Chapter 5, p. 103.

Out of State Transfer Students

- When a student transfers from out of state to an Idaho school district with a current IEP – the district will provide the student with special education services comparable to those in the transfer IEP
- If the Sufficiency Review shows that the existing eligibility does not meet Idaho requirements, consent for an initial assessment must be sought from the parent.
- While the assessment and evaluation are in process, an interim (short-term) IEP providing FAPE (including services comparable to those in the student's IEP) will be implemented if agreed to by the parent.
- If the parent/adult student does not agree to an interim IEP, the student shall be placed in general education. IDAPA 08.02.03.109.04e-f
- Parent/adult student must be consulted in this process.